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June 10, 2008

Hon. Alvin K. Hellerstein, U.S.D.J.
United States Courthouse
500 Pearl Street, Room 1050
New York, NY 10007

RE: Alejandro v. City of New York, et. al.
08 CV 1685 [AKH]

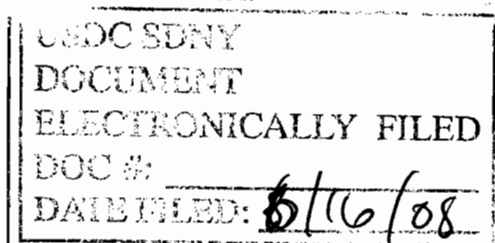
Dear Judge Hellerstein:

I represent the Plaintiff in the above matter which is scheduled for a Court conference on June 13, 2008. I am writing to request a stay of proceedings pending the outcome of a criminal case arising out of the same transaction involved in this alleged excessive force claim.

It only came to my attention yesterday that there is pending a criminal case against Mr. Alejandro in a Bronx Local Court. I spoke with my client's Legal Aid Attorney, Antonia Codling who advised me that the case was scheduled for trial today; it was adjourned to July 15, 2008; and that one of the two charges is a misdemeanor Assault 3 charge. The complaint in this case alleges that Mr. Alejandro was the alleged victim of excessive force while a local prisoner at 11-11 Hazen Street, East Elmhurst, NY. Both the Complaint in this case and the pending criminal matter arise out of the same facts and circumstances.

Since the outcome of the criminal case may determine a resolution of this matter, it is respectfully requested that the Court grant a stay of proceedings, pending the resolution of the criminal matter in the Bronx. Assistant Corporation Counsel Johana V. Castro, who represents the City of New York, consents to this request. The information I have is that the criminal matter will likely be resolved on July 15, 2008 by a plea. I would further request that the Court permit this matter to be restored to its status following the resolution of the criminal case by letter.

As stated above, the current date for the conference in this matter is June 13, 2008. There was one prior request for an adjournment, made by defendant with my consent, to allow time for counsel to meet with her clients. The original conference date in this matter was April 11, 2008.



In addition, plaintiff has served automatic disclosure on defendant and there have been settlement overtures since adjourning the prior conference.

Thank you for considering this request. If anything further is needed, please feel free to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read 'Andrew F. Plasse', written in a cursive style.

ANDREW F. PLASSE

AFP/gjn

cc: Johana V. Castro